



General Assembly

Substitute Bill No. 56

February Session, 2004

* _____SB00056PH_____031804_____*

AN ACT CONCERNING MANDATORY OVERTIME IN HEALTH CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) As used in this
2 section:

3 (1) "Employee" means an individual employed by a hospital who is
4 involved in direct patient care services and who receives an hourly
5 wage; and

6 (2) "Hospital" has the same meaning as set forth in subsection (b) of
7 section 19a-490 of the general statutes.

8 (b) No hospital may require an employee to work in excess of a
9 predetermined scheduled work shift, provided such scheduled work
10 shift is determined and promulgated not less than forty-eight hours
11 prior to the commencement of such scheduled work shift. Any
12 employee may volunteer or agree to work hours in addition to such
13 scheduled work shift but the refusal by an employee to accept such
14 additional hours shall not be grounds for discrimination, dismissal,
15 discharge or any other penalty or employment decision adverse to the
16 employee.

17 (c) The provisions of this section shall not apply: (1) To any

18 employee working in an outpatient facility who is treating a patient
 19 beyond the normal working hours of such facility; (2) to any employee
 20 participating in a surgical procedure until such procedure is
 21 completed; (3) to any employee working in a critical care unit until
 22 such employee is relieved by another employee who is commencing a
 23 scheduled work shift; (4) in the case of a public health emergency; (5)
 24 in the case of an institutional emergency, including, but not limited to,
 25 adverse weather conditions, catastrophe or widespread illness, that in
 26 the opinion of the hospital administrator will significantly reduce the
 27 number of employees available for a scheduled work shift, provided
 28 the hospital administrator has made a good faith effort to mitigate the
 29 impact of such institutional emergency on the availability of
 30 employees, unless a collective bargaining agreement provides
 31 otherwise; or (6) to any employee who is covered by a collective
 32 bargaining agreement that contains provisions addressing the issue of
 33 mandatory overtime.

This act shall take effect as follows:	
Section 1	October 1, 2004

LAB *Joint Favorable Subst. C/R*

PH

PH *Joint Favorable Subst.*